CEM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 FEB 25 AM 11:56

UNITED STATES OF AMERICA,	)	Magistrate Docket No. '08 MJ 0545
Plaintiff,	)	
v.	)	**COMPLAINT FOR VIOLATION OF:**
Florencio RAMIREZ-Contreras,	)	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States
Defendant	)	

The undersigned complainant, being duly sworn, states:

On or about **February 22, 2008** within the Southern District of California, defendant, **Florencio RAMIREZ-Contreras,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Ismael Canto
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25th DAY OF **FEBRUARY, 2008.**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Florencio RAMIREZ-Contreras
A#090 317 874

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On February 22, 2008, Agent M. Aguiar was performing his assigned Border Patrol duties in the Campo, California area of operations. At approximately 2:00 p.m. Agent Aguiar responded to a seismic intrusion device near an area known as "Twin Towers". This area is approximately 20 miles east of the Tecate, California Port of Entry and approximately half a mile north of the United States/Mexico International Border.

Upon arriving to the location Agent Aguiar noticed fresh footprints headed north on a known undocumented alien trail. Agent Aguiar began to follow the footprints north for approximately thirty minutes. At approximately 2:30 p.m., Agent Aguiar encountered twelve individuals trying to conceal themselves under some thick brush. Agent Aguiar approached the individuals and identified himself as a United States Border Patrol Agent and began to question each individual as to their immigration status including one later identified defendant **Florencio RAMIREZ-Contreras**. All individuals freely stated that they were citizens and nationals of Mexico without any documents allowing them to enter or remain in the United States legally. All individual were arrested and transported to the Campo Border Patrol Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **January 14, 2005** through **Nogales, Arizona.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on February 24, 2008 at 9:00 a.m.

Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **February 22, 2008,** in violation of Title 8, United States Code, Section **1326**.

Nita L. Stormes
United States Magistrate Judge

2-24-08 @ 11:30AM
Date/Time